

REMARKS

The Examiner has rejected claims 1 – 5 and 7 – 9 under 35 USC 102(b) as being anticipated by Suzuki (6 289 861) and he has rejected claim 6 under 35 USC 103 (a) as being unpatentable over Suzuki and claim 10 as being unpatentable over Suzuki in view of Urkfitz et al. (6 543 400).

Suzuki discloses a control for variable valve timing with spool valves 66 mounted vertically into a camshaft bearing cap member 36 so as to extend upwardly therefrom. A separate camshaft cover 18 is affixed to the cylinder head 14 and defines a chamber in which the valve actuating mechanism is contained.

Urkfitz (6 543 400) was cited only with respect to claim 10 to show that it is known to supply oil to a camshaft phaser assembly by way of camshaft bores.

Claim 1 has been amended so as to more distinctly define the present invention.

As amended, claim 1 defines a device for changing the angle of rotation of a camshaft 3 relative to a drive wheel 10 driving the camshaft 3 of an internal combustion engine under the control of a spool valve 5 mounted on a camshaft bearing (2) wherein the camshaft bearing has a bearing cover which is an integral part of a cylinder head cover 4 and the spool valve is horizontally mounted to the bearing cover part of the cylinder head cover so as to extend therefrom horizontally over the cylinder head cover.

This arrangement provides for a relatively low engine height as the spool valve does not protrude upwardly from the engine. Furthermore, the spool valve control wires do not have to extend through the cylinder head cover but are directly connected to the spool valve outside the cylinder head cover, and the spool valve is removed from the engine together with the cylinder head cover when the cover is removed for accessing the valve drive train and camshaft covered by the cylinder head cover.

Suzuki does not disclose such an arrangement. In Suzuki, the spool valves 67 are mounted onto a camshaft bearing cover which is not an integral part of the cylinder head cover and they are mounted vertically so as to project upwardly from the engine thereby increasing the height of the engine.

The arrangement as defined in amended claim 1 is therefore clearly different from that disclosed by Suzuki and reconsideration of the rejection of claim 1 under 35 USC 102 is respectfully requested.

Furthermore, since Suzuki does not disclose the advantageous features as pointed out above and since no hint or suggestion can be derived from Suzuki which would lead a person skilled in the art to the arrangement as defined in amended claim 1, it can hardly be said credibly that the arrangement as defined in the amended claim 1 is obvious in view of Suzuki.

Claim 2 has been cancelled and claim 3 has also been canceled since the subject matter of claim 3 is now included in claim 1.

Claims 4 to 10 are directed to particular features which are considered to be advantageous in connection with the arrangement as defined in claim 1. These claims are all dependent directly or indirectly on claim 1, and, consequently, include all the features of claim 1 so that they should be patentable together with claim 1. Reconsideration of the dependent claims 4 – 10 is respectfully requested and allowance of claims 1 and 4 – 10 is solicited.

Respectfully submitted,



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